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*Counsel for Individual and Representative
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, Sarah Silverman, Christopher
Golden, Ta-Nehisi Coates, Junot Díaz, Andrew
Sean Greer, David Henry Hwang, Matthew Klam,
Laura Lippman, Rachel Louise Snyder, Jacqueline
Woodson, and Lysa TerKeurst,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc., a Delaware corporation;

Defendant.

Bryan L. Clobes (*pro hac vice*)
Alexander J. Sweatman (*pro hac vice anticipated*)
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Case No. 3:23-cv-03417-VC

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED**

I. INTRODUCTION

Pursuant to Civil Local Rules 7-11 and 79-5, Plaintiffs hereby move the Court to consider whether portions of Plaintiffs’ Motion for Relief From Nondispositive Pretrial Order Of Magistrate Judge should be filed under seal. Meta contends the portions sought to be filed under seal contain information protected by attorney-client privilege.

On August 22, 2024, Magistrate Judge Hixson issued a Discovery Order addressing the privilege dispute. ECF 114. Plaintiffs file objections to the Discovery Order herewith, and therefore believe the privilege dispute is still pending. Fed. R. Civ. P. 72(a). Nonetheless, Plaintiffs are filing this with the disputed material redacted under seal. Accompanying this Motion is the Declaration of Aaron Cera in Support of Plaintiffs’ Administrative Motion to File Under Seal a Motion for Relief From Nondispositive Pretrial Order.

II. ARGUMENT

In the Ninth Circuit, when a party seeks to seal portions of a nondispositive motion, a “good cause” standard is applied. *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). Good cause exists if a district court grants a protective order to seal documents because “it already has determined that good cause exists to protect this information from being disclosed to the public by balancing the needs for discovery against the need for confidentiality. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d at 1179–80. The party seeking to seal bears the burden of showing compelling reasons apply. *See id.* at 1178.

Here, Meta has asserted privilege over the disputed material, claiming the material is protected by the attorney-client privilege. Plaintiffs disagree that the information is privileged, and even if it were, any privilege was waived. On August 22, 2024, Magistrate Judge Hixson issued a Discovery Order holding the disputed materials are privileged. ECF 114. Plaintiffs seek to maintain the disputed

portions under seal in redacted form. Plaintiffs therefore submit this motion in accordance with Local Rule 79-5.

III. CONCLUSION

Plaintiffs therefore request that the following portions of the Motion be filed under seal.

Redacted Portion	Description of Information
Bottom Pg. 1-Top Pg. 2	Information Meta contends is protected by the attorney-client privilege.
Bottom Pg. 2	Information Meta contends is protected by the attorney-client privilege.
Bottom Pg. 2	Information Meta contends is protected by the attorney-client privilege.

Dated: September 5, 2024

By: /s/ Joseph R. Saveri

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